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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/056,287	01/23/2002	Burnell G. West	M-12401 US	9790
45595	7590	05/04/2005	EXAMINER	
WAGNER, MURABITO & HAO, LLP TWO NORTH MARKET STREET THIRD FLOOR SAN JOSE, CA 95113			LE, JOHN H	
			ART UNIT	PAPER NUMBER
			2863	

DATE MAILED: 05/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

SM

Office Action Summary	Application No. 10/056,287	Applicant(s) WEST, BURNELL G.	
	Examiner John H. Le	Art Unit 2863	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 February 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19, 26-32 and 43 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5, 8-17, 19 and 26-31 is/are rejected.
- 7) ☒ Claim(s) 6, 7, 18, 32 and 43 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 April 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Response to Amendment

1. This office action is in response to applicant's amendment received on 02/28/2005.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-5, 10-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lloyd et al. (USP 6,434,211) in view of Loewenstein (USP 5,886,660).

Regarding claims 1 and 10, Lloyd et al. teach time stamping system (Abstract) comprising: an event stream distributor (pre-programmed sequence is implemented as software or hardware in a computer) coupled to receive the primary event stream, for apportioning events in the primary event stream across a plurality of secondary event stream (e.g. Fig.5, Col.3, lines 33-35, Col.6, lines 1-3, lines 24-40, Col.12, lines 37-63); and a plurality of timestamp circuits (e.g. Col.14, lines 3-14, Col.16, lines 27-28), each timestamp circuit coupled to receive a respective secondary event stream from the event stream distributor (e.g. Col.10, lines 1-3, Col.16, lines 29-31), wherein each of the plurality of timestamp circuits record the times at which events occur in the respective received secondary event stream (e.g. Col.3, lines 15-25, Col.7, lines 11-27, lines 37-48), wherein each of the.

Regarding claims 2 and 11, Lloyd et al. teach an event rate in each of the secondary event streams is lower than an event rate in the primary event stream (Col.12, line 47-Col.13, line 5).

Regarding claims 3 and 12, Lloyd et al. teach the relative timing of the events in the primary event stream is maintained in each of the secondary event streams (Col.16, lines 1-19).

Regarding claims 4 and 13, Lloyd et al. teach the primary event stream is a differential signal (e.g. Fig.5, Col.12, 40-46).

Regarding claims 5 and 14, Lloyd et al. teach the secondary event streams are differential signals (e.g. Fig.5, Col.12, lines 47-63).

Lloyd et al. teach fail to teach recorded times have a first component comprising a specific clock cycle of a reference clock and a second component comprising a time at which the given event occurs within the specific clock cycle.

Loewenstein teaches recorded times (time stamp) have a first component comprising a specific clock cycle of a reference clock (400) and a second component comprising a time at which the given event (402) occurs within the specific clock cycle (Fig.4, Col.5, lines 16-40).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to include recorded times (time stamp) have a first component comprising a specific clock cycle of a reference clock (400) and a second component comprising a time at which the given event (402) occurs within the specific clock cycle as taught by Loewenstein in a timestamp system of Lloyd et al. for the purpose of

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providing advantageously measures the time at which an event occurs using one ramp signal and one analog-to-digital converter (ADC) (Loewenstein, Col.2, lines 19-20).

4. Claims 8-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lloyd et al. (USP 6,434,211) in view of Loewenstein (USP 5,886,660) as applied to claims 1 and 10 above, and further in view of Boerker (US 2003/0035502 A1).

Regarding claim 8, Lloyd et al. and Loewenstein fail to teach apportioning rising edge events in the primary event stream among a set of the plurality of secondary event streams; and apportioning falling edge events in the primary event stream among a second set of plurality of secondary event streams.

Boerker teaches apportioning rising edge events in the primary event stream among a set of the plurality of secondary event streams; and apportioning falling edge events in the primary event stream among a second set of plurality of secondary event streams ([0057]).

Regarding claims 9, Boerker teaches registering the events in each of the secondary event streams ([0055]).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to include step of apportioning rising edge events in the primary event stream among a set of the plurality of secondary event streams; and apportioning falling edge events in the primary event stream among a second set of plurality of secondary event streams as taught by Boerker in a timestamp system of Lloyd et al. in view of Loewenstein for the purpose of providing an increasing transfer rate, data or

information is transferred via a transfer channel in shorter and shorter times (Boerker, [0005]).

5. Claims 15-17 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lloyd et al. (USP 6,434,211) in view of Loewenstein (USP 5,886,660) as applied to claim 10 above, and further in view of Fransson (USP 5,940,467).

Regarding claims 15-17, 19, Lloyd et al. and Loewenstein fail to teach a first counter coupled to receive the primary event stream; and a first plurality of gates coupled to the first counter, wherein the first counter is a Johnson counter, wherein the first counter is an N-bit counter, a plurality of registers, each register operable to register events of one or more secondary event streams.

Fransson teaches a first counter 31 coupled to receive the primary event stream; and a first plurality of gates 71, 72, 73, 74, 75, 76 coupled to the first counter (Fig. 1, Fig. 2, Fig. 3A), wherein the first counter is a Johnson counter, wherein the first counter is an N-bit counter (Col. 2, lines 5-7), each register operable to register events of one or more secondary event streams (Fig. 8, Col. 12, lines 45-65).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to include a counter, plurality of gates coupled to the counter, wherein the counter is a Johnson counter, wherein the counter is an N-bit counter as taught by Fransson in a timestamp system of Lloyd et al. in view of Loewenstein for the purpose of providing a counting circuit, the resolution of which is equal to the cycle time of the first clock signal applied to the counting circuit (Fransson, Col. 2, lines 46-48).

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6. Claims 26-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fransson (USP 5,940,467) in view of Tambe et al. (USP 4,996,474).

Regarding claims 26-29, Fransson teaches a counting circuit, the circuit comprising: a first counter 31 coupled to receive the signal (Fig.1); and a first plurality of gates 71, 72, 73, 74, 75, 76, each gate of the first plurality of gates coupled to receive a signal and each gate of the first plurality of gates coupled to receive a respective control signal from the first counter 31 (Fig.2, Fig.5A), wherein the first plurality of gates are AND gates, wherein the signal is a differential signal, wherein the signal is a single-ended signal (Col.4, lines 39-65, Col.7, lines 32-67).

Regarding claim 30, Fransson teaches the counter is a Johnson counter (Col.2, lines 5-7).

Regarding claim 31, Fransson teaches the counter is an N-bit counter (Col.2, lines 5-7, Col.4, lines 14-19, Col.5, lines 43-45).

Fransson fails to teach the first counter coupled to receive the signal having a plurality of events and wherein the events of the signal are apportioned among the outputs of the first plurality of gates as a function of the respective control signal from the first counter.

Tambe et al. teach the first counter (301) coupled to receive the signal (308) having a plurality of events (Col.3, lines 33-45, Col.4, lines 38-56) and wherein the events of the signal are apportioned among the outputs of the first plurality of gates as a function of the respective control signal from the first counter (Col.3, lines 33-45, Col.6, lines 58-63).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to inform the first counter coupled to receive the signal having a plurality of events and wherein the events of the signal are apportioned among the outputs of the first plurality of gates as a function of the respective control signal from the first counter as taught by Tambe et al. in a counting circuit of Fransson for the purpose of providing a method of digitally controlling the gate for a timing counter, to open and close the gate based on the occurrence of signal events (Tambe et al., Col.2, lines 22-25).

Allowable Subject Matter

7. Claims 6-7, 18, and 32 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter:

Regarding claim 6, none of the prior art of record teaches or suggests the combination of a method for timestamping events in a primary event stream, the method comprising: receiving the primary event stream; apportioning events in the primary event stream among a plurality of secondary event streams; and timestamping events in each of the plurality of secondary event streams wherein each timestamp has a first component comprising a specific clock cycle of a reference clock and a second component comprising a time at which the given event occurs within the specific clock cycle, wherein apportioning events in the primary event stream comprises selectively

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enabling a plurality of gates such that a first event in the primary event stream passes through a first gate for generating a first one of the plurality of the secondary event streams, a second event in the primary event stream passes through a second gate for generating a second one of the plurality of the secondary event streams, and so on until an Nth event in the primary event stream passes through an Nth gate for generating an Nth one of the plurality of the secondary event streams, wherein N is a positive integer. It is these limitations as they are claimed in the combination with other limitations of claim, which have not been found, taught or suggested in the prior art of record, that make these claims allowable over the prior art.

Regarding claim 7, none of the prior art of record teaches or suggests the combination of a method for timestamping events in a primary event stream, the method comprising: receiving the primary event stream; apportioning events in the primary event stream among a plurality of secondary event streams; and timestamping events in each of the plurality of secondary event streams wherein each timestamp has a first component comprising a specific clock cycle of a reference clock and a second component comprising a time at which the given event occurs within the specific clock cycle, wherein apportioning events in the primary event stream comprises selectively enabling a plurality of gates using a counter that is clocked by the primary event stream such that a first event in the primary event stream passes through a first gate for generating a first one of the plurality of the secondary event streams, a secondary event in the primary event stream passes through a second gate for generating a second one of the plurality of the secondary event streams, and so on until an Nth event in the

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primary event stream passes through an Nth gate for generating an Nth one of the plurality of the secondary event streams, where in N is a positive integer. It is these limitations as they are claimed in the combination with other limitations of claim, which have not been found, taught or suggested in the prior art of record, that make these claims allowable over the prior art.

Regarding claim 18, none of the prior art of record teaches or suggests the combination of a timestamp system comprising: an event stream distributor, coupled to receive the primary event stream, for apportioning events in the primary event stream across a plurality of secondary event streams; and a plurality of timestamp circuits, each timestamp circuit coupled to receive a respective secondary event stream from the event stream distributor, wherein each of the plurality of timestamp circuits record the times at which events occur in the respective received secondary event stream, wherein each of the recorded times have a first component comprising a specific clock cycle of a reference clock and a second component comprising a time at which the given event occurs within the specific clock cycle, wherein the event stream distributor further comprises: a first counter coupled to receive the primary event stream; a first plurality of gates coupled to the first counter; a second counter coupled to receive the primary event stream; and a second plurality of gates coupled to the second counter. It is these limitations as they are claimed in the combination with other limitations of claim, which have not been found, taught or suggested in the prior art of record, that make these claims allowable over the prior art.

Regarding claim 43, none of the prior art of record teaches or suggests the combination of a timestamp system comprising: an event stream distributor, coupled to receive the primary event stream, for apportioning events in the primary event stream across a plurality of secondary event streams; and a plurality of timestamp circuits, each timestamp circuit coupled to receive a respective secondary event stream from the event stream distributor, wherein each of the plurality of timestamp circuits record the times at which events occur in the respective received secondary event stream, wherein each of the recorded times have a first component comprising a specific clock cycle of a reference clock and a second component comprising a time at which the given event occurs within the specific clock cycle, wherein the number of secondary event streams is a function of a maximum event rate in the primary event stream and a minimum period of elapse time between consecutive events for the timestamp circuit to accurately record all of the events in the primary event stream. It is these limitations as they are claimed in the combination with other limitations of claim, which have not been found, taught or suggested in the prior art of record, that make these claims allowable over the prior art.

Regarding claim 32, none of the prior art of record teaches or suggests the combination of a circuit for apportioning events in a signal, the circuit comprising: a first counter coupled to receive a signal having a plurality of events; a first plurality of gates, each gate of the first plurality of gates coupled to receive the signal and each gate of the first plurality of gates coupled to receive a respective control signal from the first counter, wherein the events of the signal are apportioned among the outputs of the first

plurality of gates as a function of the respective control signal from the first counter; a second counter coupled to receive the signal; and a second plurality of gates, each gate of the second plurality of gates coupled to receive the signal and each gate of the second plurality of gates coupled to receive a respective control signal from the second counter, wherein the events of the signal are apportioned among the outputs of the second plurality of gates as a function of the respective control signal from the second counter. It is these limitations as they are claimed in the combination with other limitations of claim, which have not been found, taught or suggested in the prior art of record, that make these claims allowable over the prior art.

Response to Arguments

8. Applicant's arguments filed 11/03/2004 have been fully considered but they are not persuasive.

-Applicant argues that the prior did not teach "an event stream distributor coupled to receive the primary event stream, for apportioning events in the primary event stream across a plurality of secondary event stream" as cited in amended claims 1 and 10.

Examiner position is that Lloyd et al. teach an event stream distributor (pre-programmed sequence is implemented as software or hardware in a computer) coupled to receive the primary event stream, for apportioning events (distribute event time, distribute data stream) in the primary event stream across a plurality of secondary event stream (e.g. Fig.5, Col.3, lines 33-35, Col.6, lines 1-3, lines 24-40, Col.12, lines 37-63).

-Applicant argues that the prior did not teach "each timestamp has a first component comprising a specific clock cycle of a reference clock and a second

component comprising a time at which the given event occurs within the specific clock cycle” as cited in amended claims 1 and 10.

Examiner position is that Loewenstein teaches each timestamp has a first component comprising a specific clock cycle of a reference clock and a second component comprising a time at which the given event occurs within the specific clock cycle (Fig.4, Col.5, lines 16-40).

-Applicant argues that the prior did not teach “a first counter coupled to receive a signal having a plurality of events; wherein the events of the signal are apportioned among the outputs of the first plurality of gates as a function of the respective control signal from the first counter” as cited in amended claim 26.

Examiner position is that Tambe et al. teach the first counter (301) coupled to receive the signal (308) having a plurality of events (Col.3, lines 33-45, Col.4, lines 38-56) and wherein the events of the signal are apportioned among the outputs of the first plurality of gates as a function of the respective control signal from the first counter (Col.3, lines 33-45, Col.6, lines 58-63).

Contact Information

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to John H Le whose telephone number is 571-272-2275. The examiner can normally be reached on 8:00 - 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John E Barlow can be reached on 571-272-2269. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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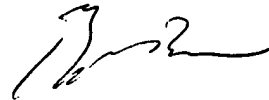
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John H. Le

Patent Examiner-Group 2863

April 28, 2005

BRYAN BUI
PRIMARY EXAMINER

A handwritten signature in black ink, appearing to read 'Bryan Bui', is written over the printed name and title.